

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARYLEBONE PCC LIMITED – ROSE 2 FUND,
on behalf of itself and all similarly
situated persons,

Plaintiff,

vs.

MILLENNIUM GLOBAL INVESTMENTS LTD.,
MILLENNIUM ASSET MANAGEMENT LTD.,
MICHAEL R. BALBOA, GLOBEOP FINANCIAL
SERVICES LTD., BCP SECURITIES LLC and XYZ
CORP..

Defendants.

Case No. 12-CV-3835 (PAC)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: OTT
DATE FILED: 9-7-12

**NOTICE OF MOTION AND MOTION FOR APPOINTMENT OF
INTERIM CLASS COUNSEL PURSUANT TO FED. R. CIV. P. 23(g)**

PLEASE TAKE NOTICE that Plaintiff Marylebone PCC Limited – Rose 2 Fund (“Plaintiff”) will move this Court on a date and time as may be designated by the Court, at 500 Pearl Street, New York, New York, for an order appointing Zamansky & Associates LLC and Stewarts Law US LLP as interim class counsel pursuant to Fed. R. Civ. P. 23(g). In support of this Motion, Plaintiff submits a memorandum of law with biographies of the Firms as exhibits. Plaintiff further submits a proposed order via email to the Clerk of Court pursuant to Local Civil Rule 77.1 and SDNY Electronic Case Filing Instruction 18.4.

September 13, 2012

The application for the appointment of interim class counsel is denied. If anything it is very premature. The Plaintiff would not accept representation from interim counsel. The government authority to provide a non-discretionary. Similarly, the SEC has not appointed counsel. Other than the class action there are no other civil complaints. Nothing prevents Plaintiff from taking whatever action it deems appropriate, but Plaintiff begins to suggest that counsel should be appointed as interim class counsel.

Soldier
Paul Heath
1915